

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

ANDRED CLINTON DAVIS, JR.,

Plaintiff,

v.

CIVIL ACTION NO. 2:21-cv-00106

DONALD AMES, JASON BRAGG,
RICHARD TONY, JASON WOOTEN,
E. ARRON, CAPT. MARGARET CLIFFORD,
NURSE BRANDY, C.O. SPEARS, and
LT. CHRIS WILSON,

Defendants.

ORDER

This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On September 26, 2023, Magistrate Judge Tinsley submitted his Proposed Findings & Recommendation (“PF&R”), [ECF No. 65], recommending that the court grant the defendants’ Motion to Dismiss for Failure to Prosecute, [ECF No. 60], and dismiss the civil action with prejudice. Neither party timely filed objections to the PF&R or sought an extension of time.

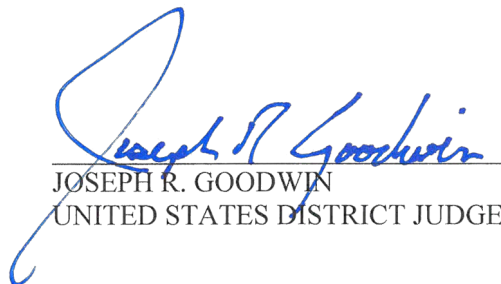
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de

novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. The Defendants' Motion to Dismiss for Failure to Prosecute, [ECF No. 60], is **GRANTED**, and this civil action is **DISMISSED with prejudice**.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: November 1, 2023



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE